

THE MYTH OF CONSTITUTIONALISM IN PAKISTAN

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OXFORD

Myth Of Constitutionalism In Pakistan

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Myth Of Constitutionalism In Pakistan:

Founding Moments in Constitutionalism Richard Albert, Menaka Guruswamy, Nishchal Basnyat, 2019-10-17 Founding moments are landmark events that break ties with the ancien régime and lay the foundation for the establishment of a new constitutional order. They are often radically disruptive episodes in the life of a state. They reshape national law, reset political relationships, establish future power structures and influence happenings in neighbouring countries. This edited collection brings together leading and emerging scholars to theorise the phenomenon of a founding moment. What is a founding moment? When does the founding process begin and when does it end? Is a founding moment possible without yielding a new constitution? Can a founding moment lead to a partial or incomplete transformation? And should the state be guided by the intentions of those who orchestrated these momentous breaks from the past? Drawing from constitutions around the world, the authors ask these and other fundamental questions about making and remaking constitutions. **Constitutionalism in**

Islamic Countries: Between Upheaval and Continuity Rainer Grote, Tilmann Röder, 2012-01-11 Constitutionalism in Islamic Countries: Between Upheaval and Continuity examines the question of whether something similar to an Islamic constitutionalism has emerged out of the political and constitutional upheaval witnessed in many parts of North Africa, the Middle East and Central and Southern Asia. In order to identify its defining features and to assess the challenges that Islamic constitutionalism poses to established concepts of constitutionalism, this book offers an integrated analysis of the complex frameworks in Islamic countries, drawing on the methods and insights of comparative constitutional law, Islamic law, international law and legal history. European and North American experiences are used as points of reference against which the peculiar challenges and the specific answers given to those challenges in the countries surveyed can be assessed. The book also examines ways in which the key concepts of constitutionalism, including fundamental rights, separation of powers, democracy and rule of law, may be adapted to an Islamic context, thus providing valuable new insights on the prospects for a genuine renaissance of constitutionalism in the Islamic world in the wake of the Arab Spring. *Civil Society and Pakistan's*

Economy Fayyaz Baqir, 2023-03-17 This book analyses the paradoxes of Pakistan's economy, meritocratic domestic policy and the role of the state and the civil society. It argues that the transition in the country's foreign policy from geopolitics to geo-economic depends on a fundamental domestic policy transition from kleptocracy to meritocracy. *Civil Society and Pakistan's Economy* discusses how the prevalence of rent-seeking practices has undermined merit-based practices by increasing the cost of doing business and converting public loss into private profit by awarding inappropriate subsidies and imposing regressive taxes. The analyses are supported by describing the instruments and mechanisms used for rent-seeking practices and the creation of public awareness of options available to change these practices through citizens' action and civil society engagement. The book also shows the path of transformation and the role of participation and argues that aspiring for and capturing power is not the only way to transform Pakistan. A novel analysis depicting macro-micro linkages of encroachment

of socio economic space by the power elites and effective strategies used for its reappropriation by the people the book will be of interest to academics researching South Asian Studies in particular South Asian economics and politics Pakistan's Drift into Extremism Hassan Abbas,2015-03-26 This book examines the rise of religious extremism in Pakistan particularly since 1947 and analyzes its connections to the Pakistani army s corporate interests and U S Pakistan relations It includes profiles of leading Pakistani militant groups with details of their origins development and capabilities The author begins with an historical overview of the introduction of Islam to the Indian sub continent in 712 AD and brings the story up to the present by describing President Musharraf s handling of the war on terror He provides a detailed account of the political developments in Pakistan since 1947 with a focus on the influence of religious and military forces He also discusses regional politics Pakistan s attempt to gain nuclear power status and U S Pakistan relations and offers predictions for Pakistan s domestic and regional prospects **Law, State and Inequality in Pakistan** Muhammad Azeem,2017-07-02 Through a detailed historical and empirical account of post independence years this book offers a new assessment of the role of the judiciary in Pakistani politics Instead of seeing the judiciary as helpless or struggling against an authoritarian state it argues that the judiciary has been a crucial link in the creation of state and political inequality in Pakistan This rubs against the central role given to the judiciary in developing countries to fix the corrupt politicians and stubborn bureaucracies in the World Bank s Good Governance paradigm and rule of law initiatives It also challenges the contemporary legal and judicial discourse that extols the virtues of Public Interest Litigation While the book s core analysis is a critique of the contemporary liberal legal project it also adds to the critical tradition of social theory by linking political economy to a social theory of law The theoretical aspect of the study is applicable to any developing society whose judiciary is going through foreign sponsored rule of law judicial reforms **Human Rights in Pakistan** Sudhir Kumar Singh,2007 Provides an analytical and incisive account of various developments in Pakistani politics right from the declaration of Ahamadiyas as non Muslim and Pakistan as an Islamic state by Bhutto to the lease of life *Emergency Powers and the Courts in India and Pakistan* Imtiaz Omar,2021-10-18 The fundamental premise of this study is that where Constitutions such as that of India and Pakistan articulate legal norms which limit the scope of the executive power to derogate from individual rights during states of emergency there must likewise exist an effective control mechanism to ensure that the Executive acts within the scope of that power Viewed from this perspective the judicial power to interpret the Constitution imposes upon the Court the constitutional duty to provide adequate safeguards against the abuse of state power affecting individual rights This power remains available notwithstanding the presumed or purported ouster of judicial review The concept of judicial review as a source of control is examined in the light of the experience of Pakistan and India during periods of constitutional emergency The divergent approaches of the Courts in these countries in litigation concerning emergency powers and individual rights are explained in terms of divergent views that these Courts have adopted with respect to the nature of judicial review

The Emergence of Ulema in the Politics of India and Pakistan 1918-1949 Syed Zaidi, **The Asian Yearbook of Human Rights and Humanitarian Law** Javaid Rehman, Ayesha Shahid, Steve Foster, 2021-08-09 The Asian Yearbook of Human Rights and Humanitarian Law aims to publish peer reviewed scholarly articles and reviews as well as significant developments in human rights and humanitarian law It examines international human rights and humanitarian law with a global reach though its particular focus is on the Asian region The focused theme of Volume 5 is Law Culture and Human Rights in Asia and the Middle East **South Asia in Transition** B. Chakma, 2014-06-25 Combining theoretical and empirical insights this book provides an in depth analysis of South Asia s transition in the areas of democracy political economy and security since the end of the Cold War It provides a close scrutiny to the state of democracy and political economy in India Pakistan and Bangladesh

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